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Filing date: **11/12/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92049242
Party	Plaintiff El-Kharif Limited
Correspondence Address	Michael Culver Millen White Zelano & Branigan, P.C. 2200 Clarendon Blvd, Suite 1400 Arlington, VA 22201 UNITED STATES major@mwzb.com, culver@mwzb.com
Submission	Reply in Support of Motion
Filer's Name	Michael Culver
Filer's e-mail	culver@mwzb.com
Signature	/michaelculver/
Date	11/12/2008
Attachments	Petitioner's Reply Memorandum.pdf ( 3 pages )(101476 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**EL-KHARIF LIMITED**

Petitioner

v.

**LEBANESE ARAK CORPORATION**

Respondent

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Cancellation No. 92049242


Registration No. 3167866

Mark: ARAK EL RIF

**PETITIONER'S REPLY MEMORANDUM  
IN SUPPORT OF SUMMARY JUDGMENT**

Petitioner submits the attached copy of email correspondence between the parties' counsel wherein Respondent's counsel, Mr. Morseburg, states that a response to Petitioner's motion for summary judgment was not filed. That response was due on October 29, 2008. Accordingly, Petitioner's motion should be granted as conceded under Rule 2.127(a) and the subject registration should be cancelled.

Date: November 12, 2008

By:   
\_\_\_\_\_  
Scott J. Major  
Michael Culver  
Millen, White, Zelano & Branigan, P.C.  
2200 Clarendon Blvd., Suite 1400  
Arlington, VA 22201  
Tel: 703-243-6333  
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major@mwzb.com, culver@mwzb.com  
Attorneys for Petitioner

## Michael Culver

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**From:** Doug Morseburg [douglas.morseburg@smralaw.com]  
**Sent:** Wednesday, November 12, 2008 2:43 PM  
**To:** Michael Culver  
**Cc:** Cassandra Scardino; Christina Champagne; Doug Morseburg  
**Subject:** RE: El-Kharif Ltd. v. Lebanese Arak Corp. Canc. 92049242

Dear Mike:

No, we did not file a response.

Sincerely,

Doug Morseburg

-----Original Message-----

**From:** Michael Culver [mailto:Culver@mwzb.com]  
**Sent:** Wednesday, November 12, 2008 7:06 AM  
**To:** Doug Morseburg  
**Subject:** El-Kharif Ltd. v. Lebanese Arak Corp. Canc. 92049242

Kind Reminder

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**From:** Michael Culver  
**Sent:** Wednesday, November 05, 2008 9:23 AM  
**To:** Doug Morseburg  
**Subject:** El-Kharif Ltd. v. Lebanese Arak Corp. Canc. 92049242

Dear Doug,

I have not received your client's response to plaintiff's summary judgment that was due on October 29. Please confirm whether a response was served.

thanks,

Mike

Michael Culver  
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.  
Suite 1400  
2200 Clarendon Boulevard  
Arlington, Virginia 22201  
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11/12/2008

**Certificate of Service**

This is to certify that a copy of the foregoing was this 12<sup>th</sup> day of November 2008 sent by first class mail, postage prepaid, to the following:

Douglas H. Morseburg, Esq.  
Sheldon Mark Rose & Anderson  
Third Floor  
100 East Corson Street  
Pasadena, CA 91103-3842

By: Michael Cohen  
Attorney for Petitioner